REMARKS

This communication is considered fully responsive to the Final Office Action mailed December 29, 2009. Claim 6 has been amended to correct a minor typographical error. No other claims are currently added or canceled. Reexamination and reconsideration of claims 1-10 are respectfully requested.

Claim Rejections

Disposition of Claims on page 1 of the Final Office Action indicates that claims 1-10 are rejected. However, no claim rejections are presented in the Final Office Action with respect to claims 2 through 7. If claim 1 is not deemed to be patentable after consideration of the remarks presented in this response to the Final Office Action, Applicants request the issuance of a new Office Action that addresses the patentability of claims 2 through 7.

Claim Rejections – 35 USC §103

Claim 1 is rejected under 35 USC §103(a) as purportedly being unpatentable over US Patent No. 6,263,682 (hereinafter "Winnington") in view of US Patent No. 3,508,402 (hereinafter "Gray"). Applicants submit that claim 1 is patentable over Winnington in view of Gray since both references fails to disclose a heat pump having a "vapour generator comprising a heat exchanger that is located within the interior of the rotary unit, the heat exchanger comprising a thermally conductive fluid conduit adapted to receive a heating medium from a heat source external to the interior of the rotary unit" (emphasis added).

With respect to Winnington, all fluids flowing through the second solution heat exchanger 38 originate and always reside within the hermetically sealed unit 10. Winnington discloses the use of the second solution heat exchanger 38 which is located between a condenser 24 and an intermediate vapour generator 26 and the vapour absorber 40 to inhibit crystallization of the working fluid in the fluid flow path to the

vapour absorber. The heat source for the second solution heat exchanger is a portion of the working fluid from the vapour generator, a source entirely internal to the heat pump. Contrary to the teachings of the present invention, the high grade heat source 22 of Winnington is a burner located external to the hermetically sealed unit 10. As such, Winnington clearly teaches away from the invention of claim 1.

With respect to Gray, Gray discloses a boiler for the purpose of producing high quality vapour to be delivered to a turbine. In each and every embodiment of Gray the heat source for heating the liquid located within the interior of the boiler is always located external to the boiler itself. (See Figures 1, 2a and 3a, column 3, lines 1-12 and 52, 54; column 4, lines 36-72 and column 6, lines 27-29.) There is no heat exchanger located within the interior of the boiler drums nor is there any fluid conduit that directs a heating medium into the interior of the boiler drums. As such, Applicants respectfully submit that claim 1 is patentable over Winnington in view of Gray since neither Gray nor Winnington, alone or in combination, disclose, teach or otherwise suggest each and every limitation of claim 1.

Because claims 2-10 depend from claim 1, Applicants submit that claims 2-10 are patentable for at least the same reasons as claim 1.

Claims 8 and 9 are rejected under 35 USC §103(a) as purportedly being unpatentable over Winnington in view of US Patent No. 5,617,737 (hereinafter "Christensen"). Applicants submit that neither Winnington nor Christensen, alone or in combination, renders claims 8 and 9 obvious, because neither of the listed references disclose, teach, or otherwise suggest each and every limitation of independent claim 1, from which claims 8 and 9 depend.

Claims 9 is rejected under 35 USC §103(a) as purportedly being unpatentable over Winnington in view of Christensen and further in view of JP 2000-274831 A (hereinafter "Nobuyuki"). Applicants submit that neither of Winnington, Christensen nor Nobuyuki, alone or in combination, render claim 9 obvious because none of the listed references disclose, teach, nor otherwise suggest each and every limitation of independent claim 1, from which claim 9 depends.

Claims 10 is rejected under 35 USC §103(a) as purportedly being unpatentable over Winnington, in view of Gray and further in view of US Patent No. 5,009,085 (hereinafter "Ramshaw"). Applicants disagree that Ramshaw discloses a condenser wherein "at least a portion of the condenser is in direct contact with the environment exterior to the rotary unit so that there is direct cooling of the condenser via the exterior environment." In the written description and also as depicted in Figure 2, the condenser 23 of Ramshaw is taught and shown to be located completely within the rotary assembly and does not make any direct contact with the environment external to the rotary assembly. As such, Applicants respectfully submit that claim 10 is patentable over the cited references since none of the references, either alone or in combination, disclose, teach or otherwise suggest all the limitations of claim 10, nor that of claim 1 for which claim 10 depends.

The rejections of claims 1-10 are thus obviated and/or traversed and can and should be withdrawn. Action to this end is respectfully requested.

Conclusions

The Applicants respectfully submit that all rejections are obviated or traversed and respectfully request that they be withdrawn. A timely Notice of Allowance is requested to be issued in this case. Applicants believe that no further fees or petitions are due with this filing. However, should any other such fees or petitions be required, please consider this a request therefore and authorization to charge Deposit Account No. 02-2093 as necessary.

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Respectfully submitted,

/peterbscull/

Peter B. Scull, Registration No. 37,932
Attorney for Applicant
USPTO Customer No. 81,236

BERENBAUM WEINSHIENK PC.
370 Seventeenth Street, Suite 4800
Denver, Colorado 80202
Tel: 303-825-0800
Fax: 303-629-7610